

REMARKS

In response to the Office Action dated May 23, 2001, Paper Number 3, claims 1, 3, 12, 15, 16, 18, 25 and 26 have been amended. Claim 32 has been added. Therefore, claims 1-32 are now in the case. Reexamination and reconsideration of the amended application are requested.

Section 112, Second Paragraph Rejections

The Office Action rejected claims 15 and 18 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicants regard as their invention.

In response, the Applicants have amended claims 15 and 18 to more particularly point out and distinctly claim the Applicants' claimed invention. It should be noted that these amendments were made in response to the § 112, second paragraph rejection contained in the Office Action and not in response to any prior art. In view of the above arguments and amendments, the Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 15 and 18 under 35 U.S.C. § 112, second paragraph.

Section 102(e) Rejections

The Office Action rejected claims 1-9, 12-22, 25-28 and 30 under 35 U.S.C. § 102(e) as being anticipated by Bull et al. (U.S. Patent No. 5,901,287). The Office Action stated that Bull et al. disclose all the elements of the Applicants' claimed invention.

In response, the Applicants have amended claims 1, 12 and 25 to more clearly distinguish the Applicants' invention from the prior art. The Applicants, therefore, respectfully traverse this rejection based on the amendments to the claims and the following arguments.

Amended claim 1 of the Applicants' invention includes a computer-implemented method for displaying custom and personalized information on a client system. This

method includes collecting data associated with a user, processing the data to extract user characteristics, and tracking at least a portion of the data and performing estimation calculations. The tracking of data and the estimation calculations are used to generate results and updated personalized information and are processed using the client. Moreover, the results are dynamically adjusted on the client and automatically communicated to the user.

In contrast, Bull et al. do not disclose processing using a client. Bull et al. merely disclose an information aggregation and synthesization system and process that utilizes server-side processing to process information. In particular, a remote user connects to the system through a network (col. 3, lines 26-29). The system resides on a server and is used to track user activity and update user profile information (col. 3, lines 32-42). At all times, however, this tracking and updating is processed using the server.

Amended claim 12 includes a display device having rendered thereon personalized data and updated results. The display device includes a page having at least one field of personalized information and associated criteria. In addition, a client system tracks user defined data and performs estimation calculations to automatically and dynamically generate results and updates of the personalized information. As noted above, Bull et al. merely discloses server-side processing of information and do not discuss client-side processing as claimed by the Applicants.

Amended claim 25 includes a computer-readable medium having computer-executable instructions for displaying custom and personalized information on a client system. The instructions include using a client system to collect personal data associated with a user, processing the personal data, and tracking at least a portion of the personal data and performing estimation calculations using the client system. This client-side processing is used to generate results relating to a classification profile and to update personalized information. Moreover, the user is provided with real-time interactivity to dynamically adjust the results on the client system. As discussed above, unlike the Applicants' claimed invention that uses client-side processing, Bull et al. merely disclose

server-side processing.

Because the Applicants' invention includes at least one feature neither taught nor disclosed by Bull et al., the Applicants respectfully submit that the rejection of amended independent claims 1, 12 and 25 under 35 U.S.C. § 102(e) as being anticipated by Bull et al. has been overcome based on the amendments and the arguments set forth above. Moreover, rejected claims 2-9 depend from independent claim 1, rejected claims 13-22 depend from independent claim 12, and rejected claims 26-28 and 30 depend from independent claim 25 and are therefore also novel over Bull et al. (MPEP § 2143.03). The Applicant, therefore, respectfully requests reexamination, reconsideration and withdrawal of the rejection of claims 1-9, 12-22, 25-28 and 30 under 35 U.S.C. § 102(e) based on the foregoing amendments and arguments.

Section 103(a) Rejections

The Office Action rejected claims 10, 11, 23, 24 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Bull et al. in view of Wong (U.S. Patent No. 5,432,904). The Office Action contended that Bull et al. disclose most elements of the Applicants' claimed invention, and Official Notice was taken of computing the projected prices of automobiles. Additionally, the Office Action stated that even though none of the references teach client-side processing, this is obvious because a user can always choose to use the client as a computer to work the data.

The Applicants respectfully traverse this rejection based on the arguments above and below. In particular, the cited references do not disclose, suggest or provide any motivation for at least one claimed feature of the Applicants' claimed invention. Further, the cited references fail to appreciate the advantages of these claimed features.

To make a prima facie showing of obviousness, all of the claimed features of an Applicant's invention must be considered, especially when they are missing from the prior art. If a claimed feature is not taught in the prior art and has advantages not appreciated by the prior art, then no prima facie showing of obviousness has been made. The Federal

Circuit Court has held that it was an error not to distinguish claims over a combination of prior art references where a material limitation in the claimed system and its purpose was not taught therein. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Moreover, if the prior art references do not disclose, suggest or provide any motivation for at least one claimed feature of an Applicant's invention then a prima facie case of obviousness has not been established (MPEP § 2142).

As discussed above, amended independent claims 1, 12 and 25 includes using a client to track data, perform estimation calculations and dynamically adjust results. This client-side processing allows the Applicants' invention to automatically and dynamically generate results and updates of personalized information. More specifically, "[C]lient-side processing involves performing "data adjustment in response to user input on the client instead of the server" (specification, page 16, lines 6-7). In contrast, Bull et al. use server-side processing to process information, and do not discuss using client-side processing to process information.

In addition, Bull et al. fail to provide any motivation, suggestion or desirability to modify their information aggregation and synthesization system to perform client-side processing. One reason for this is that Bull et al. discloses that all user access to information is through the information aggregation and synthesization system, and this system utilizes server-side processing to process information (col. 3, lines 47-48). Thus, Bull et al. provide no motivation or suggestion to modify their information aggregation and synthesization system to use client-side processing. Absent any type of motivation or suggestion, therefore, Bull et al. cannot render the Applicants' invention obvious (MPEP § 2143.01).

Wong adds nothing to the cited combination that would render the Applicants' claimed invention obvious. Wong merely discloses an auto repair estimate, text and graphic system for determining a repair cost of a damaged automobile. However, as noted by the Office Action, the Applicants' claimed client-side processing is not disclosed by Wong.

Advantages of Invention Not Recognized by Cited References

The references of Bull et al. and Wong both fail to appreciate or recognize the advantages of the Applicants' claimed client-side processing of information. More specifically, client-side processing provides a user with real-time interaction with the data (specification, page 5, lines 14-16). This real-time interaction enables the user to "quickly access and adjust information dynamically and in real time without server delays" (specification, page 5, lines 16-17). In addition, by using the client to process information, user input can be processed to "allow the real time interactivity in the form of manipulation, filtering and viewing of the results" (specification, page 15, lines 15-16).

On the other hand, both Bull et al. and Wong disclose server-side processing. Server-side processing has the disadvantage of forcing a remote user "to access the server every time the remote user adjusts the data" (specification, page 16, lines 9-10). Constant server processing "bogs down the server, delays user Internet navigation and creates an unpleasantly slow Internet experience for the user" (specification, page 1, lines 23-25). In spite of these disadvantages of using server-side processing, both Bull et al. and Wong both fail to discuss or appreciate these advantages of the Applicants' claimed client-side processing.

The Applicants, therefore, submit that obviousness cannot be established since neither Bull et al. nor Wong disclose, suggest or provide any motivation for the Applicants' claimed client-side processing. In addition, both Bull et al. and Wong fail to appreciate the advantages of this claimed feature. Therefore, as set forth in *In re Fine* and MPEP § 2142, the combined references do not render the Applicant's claimed invention obvious because the references are missing at least one material feature of the Applicants' invention. Consequently, because a prima facie case of obviousness cannot be established due to the lack of "some teaching, suggestion, or incentive supporting the combination", the rejection must be withdrawn. ACS Hospital Systems, Inc. v. Montefiore Hospital, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984); MPEP 2143.01.

Accordingly, the Applicant respectfully contends that claims 1, 12 and 25 are patentable under 35 U.S.C. § 103(a) over Bull et al. in view of Wong based the amendments to claims 1, 12 and 25 and the arguments set forth above and below. Moreover, claims 10 and 11 depend from independent claim 1, claims 23 and 24 depend from independent claim 12, and claim 29 depends from independent claim 25. Thus, these dependent claims are also nonobvious over the cited references (MPEP § 2143.03). The Applicant, therefore, respectfully requests reexamination, reconsideration and withdrawal of the rejection of claims 10, 11, 23, 24 and 29.

The Office Action rejected claim 31 under 35 U.S.C. § 103(a) as being unpatentable over Bull et al. in view of Chapin, Jr. (U.S. Patent No. 5,931,878). The Office Action contended that Bull et al. disclose most elements of the Applicants' invention except for using automobile mileage to estimate maintenance schedules. However, the Office Action stated that Chapin, Jr. discloses this feature, and that it would have been obvious to add the teachings of Bull et al. to those of Chapin, Jr..

The Applicants respectfully traverse this rejection based on the arguments above and below. In particular, the cited references do not disclose, suggest or provide any motivation for at least one claimed feature of the Applicants' claimed invention. Further, the cited references fail to appreciate the advantages of these claimed features.

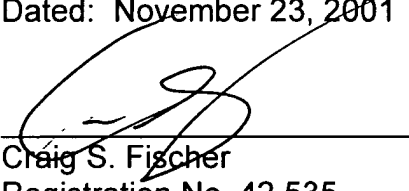
As discussed above, amended independent claim 25 includes using the client system to track at least a portion of the personal data, to perform estimation calculations and to provide a user with real-time interactivity to dynamically to adjust the results. In contrast, Bull et al. lacks this client-side processing feature. Chapin, Jr. adds nothing to the cited combination that would render the Applicants' invention obvious. More specifically, Chapin, Jr. includes a computer prompting system that reminds a user of events. User information is processed on a server and transmitted through a network connection (col. 3, lines 13-23).

In addition, Chapin, Jr. does not appreciate or even recognize the advantages of the Applicants' claimed client-side processing. Accordingly, as set forth in *In re Fine* and MPEP § 2142, the Applicant respectfully contends that amended claim 25 is patentable under 35 U.S.C. § 103(a) over Bull et al. in view of Chapin, Jr. based on the above arguments. Moreover, dependent claim 31 depends from independent claim 25 and is therefore also nonobvious over the cited references (MPEP § 2143.03). The Applicants, therefore, respectfully requests reexamination, reconsideration and withdrawal of the rejection of claim 31.

In view of the arguments and amendments set forth above, the Applicants respectfully submit that the claims of the subject application are in immediate condition for allowance. The Examiner is respectfully requested to withdraw the outstanding rejections of the claims and to pass this application to issue.

Additionally, in an effort to expedite and further the prosecution of the subject application, the Applicants kindly invites the Examiner to telephone the Applicants' attorney at (805) 278-8855 if the Examiner has any questions or concerns.

Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Following are marked-up versions of amended claims 1, 3, 12, 15, 16, 18, 25 and 26:

1. (Once Amended) A computer-implemented method for displaying custom and personalized information on a client system comprising:

collecting data associated with a user [on a server];

processing the data to extract user characteristics to create unique user profiles and generate personalized information;

tracking at least a portion of the data and performing estimation calculations using the client to generate results and updated personalized information; and

adjusting the results dynamically on the client and automatically communicating the results and the personalized and updated information to the user via the client.

3. (Once Amended) The method of claim 2, wherein [the] a server and client communicate over the World Wide Web of the Internet.

12. (Once Amended) A display device having rendered thereon personalized data and updated results, the display device comprising:

a page having at least one field of personalized information and associated criteria [and being stored on a server];

wherein [the server] a client system tracks user defined data and performs estimation calculations to automatically and dynamically generate results and updates the personalized information of the fields and criteria; and

wherein the [server] client system transmits the results and personalized and updated information to the user.

15. (Once Amended) The display device of claim [13] 14, wherein the interface tools are at least one of drop-down menus, check boxes and radio buttons.

16. (Once Amended) The display device of claim 12, wherein [the] a server and client communicate over the World Wide Web of the Internet.

18. (Once Amended) The display device of claim [11] 12, further comprising interface options for allowing adjustment and filtering of the personalized information and results in response to user input.

25. (Once Amended) A computer-readable medium having computer-executable instructions for displaying custom and personalized information on an client system comprising:

[collecting] using the client system to collect personal data associated with a user [on a server];

processing the personal data to formulate a classification profile for the user and postulating buying trends and tendencies of the user in order to create personalized information;

tracking at least a portion of the personal data and performing estimation calculations using the client system to generate results relating to the classification profile and updating the personalized information; and

providing the user with real-time interactivity to dynamically adjust the results on the client system and automatically communicating the results and the personalized and updated information to the user on a World Wide Web page on the Internet and in personalized email.

26. (Once Amended) The computer-readable medium of claim 25, wherein [the] a server and client are operable in an HTML environment.